

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **MARRIOTT ET AL.**

SERIAL NO.: 09/646,111

FILED: November 20, 2000

FOR: IMPROVED CRYSTAL STRUCTURE

GROUP ART UNIT: 1615

EXAMINER: S. Tran

ATTY. REFERENCE: MARR3001/REF



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: **December 9, 2003**
of the Primary Examiner finally rejecting claims: **42-49 and 52**

The Appeal Fee is:

- ☒ enclosed ☒ **\$330.** ☐ **\$165.**
- ☐ not required (fee paid in prior appeal in this application).
- ☐ requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

☐ Small Entity Status is claimed.

☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under *37 CFR 1.16* and *37 CFR 1.17* or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed:

23364

Customer Number

Phone: (703) 683-0500

Respectfully submitted,

DATE: April 9, 2004

Richard E. Fichter

Richard E. Fichter

Attorney for Applicant

Registration Number: 26,382

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